

REMARKS/ARGUMENTS

Claims 34-42 and 45 are pending. While Applicants continue to believe that the use of leflunomide products for treating viral infection is novel and nonobvious, Applicants have canceled claims 26-33 and 43-44 solely to expedite prosecution. Support for new claim 45 is found in the text inserted at page 19 of the specification in the previous amendment.

Amendments to the Specification

The amendments to the specification correct obvious typographical errors. The reference in Example 2 to Figure 3B (which does not exist) is clearly a reference to Figure 2, which depicts results corresponding to the experiment described in Example 2. Page 26, lines 13-15 indicate that the cells were treated with media alone, or with media supplemented with A771726, uridine, or both (corresponding to the labels on the X-axis of Figure 2: "none," "A77," "Ur" and "A77+Ur"). Page 27, line 1 indicates that cells were assayed for plaque formation (corresponding to the legend of the Y-axis of Figure 2). Thus, one of ordinary skill in the art would clearly have known that the reference to Figure 3B should correctly have been Figure 2.

The reference in Example 3B to Figure 5 (described at page 30, line 11 as depicting IE1 and gB band densities) is clearly a reference to Figure 3 which shows band density ratios (see Y axis legend).

The reference in Example 4 to Figure 6 (described at page 33, line 1 as depicting viral DNA polymerase activity) is clearly a reference to Figure 4, which shows polymerase specific activity (see Y axis legend). Similarly, the references in the same paragraph of Example 4 (at page 33, lines 5 and 9) to Figures 6A and 6B are clearly a reference to Figure 5, which shows specific enzyme activity expressed as percent of controls and plaque formation (the legends on the right and left Y axes, respectively).

Finally, the reference in Example 6 at page 34, lines 23-25, to Figure 8 is clearly a reference to Figure 7, which shows plaque reduction assays for the CMV strains P8 and D16 discussed in the example.

Arguments

The rejection of claims 34-35 under 35 U.S.C. 103(a) as assertedly unpatentable over Weithmann et al. (U.S. Pat. No. 5,556,870) and Hammer (AIDS 1996, vol. 10, suppl 3, s1-s11) is mooted by the amendment of claim 34 to recite that the pyrimidine compounds are "without

antiviral activity," thus excluding any compounds described or suggested in Hammer. Administration of antiviral pyrimidine compounds is not contemplated according to the claimed and described invention; rather, the pyrimidine compounds are used to reduce the toxic side effects of leflunomide product therapy.

The remainder of the rejections are mooted by cancellation of the claims rejected.

All claims 35-42 and 45 which depend from claim 34 are believed to be patentable for similar reasons. If the Examiner believes that a telephonic interview would expedite prosecution, the Examiner is encouraged to contact the undersigned.

No additional fees are believed to be necessary in connection with the present Amendment. However, the Commissioner is hereby authorized to charge any fees due or deficiency in the fees submitted to our Deposit Account No. 13-2855, under Order No. 28385/35415.

Respectfully submitted,

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